

ORDINANCE NO. 20060831-059

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT THE EAST TERMINUS OF YANDALL DRIVE AKA THE 2400 BLOCK OF FRATE BARKER ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO SINGLE FAMILY RESIDENCE STANDARD LOT-CONDITIONAL OVERLAY (SF-2-CO) COMBINING DISTRICT FOR TRACT ONE AND SINGLE FAMILY RESIDENCE SMALL LOT-CONDITIONAL OVERLAY (SF-4A-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property (the Property”) described in Zoning Case No. C14-06-0104, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to single family residence standard lot-conditional overlay (SF-2-CO) combining district.

A 14.58 acre tract of land, more or less, out of Tract 2 of the Jacob Bauerle Subdivision, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance; and

Tract Two: From interim rural residence (I-RR) district to single family residence small lot-conditional overlay (SF-4A-CO) combining district.

A 12.29 acre tract of land, more or less, out of Tract 2 of the Jacob Bauerle Subdivision, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit “B” incorporated into this ordinance,

locally known as the property located at the east terminus of Yandall Drive; also known as the 2400 block of Frate Barker Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “C”.

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 1,500 trips per day.
2. The following building setbacks and vegetative buffer shall be established on Tract One:
 - a) A 150-foot wide setback along the north property line for a distance of 700 feet from the west property line, then increasing to 200 feet wide for the remaining distance to the east property line.
 - b) A 100-foot wide setback along the west property line. Within this setback a 25-foot wide undisturbed vegetative buffer shall be provided and maintained along the west property line where it lies adjacent to single family residential properties to the west. Improvements permitted within the vegetative buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
 - c) A 120-foot wide setback beginning at the southeast corner of the south property line continuing westward for a distance of 366 feet.
 - d) A building may not be constructed within the building setbacks established under Section 2.

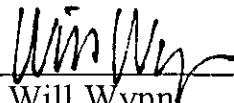
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on September 11, 2006.

PASSED AND APPROVED


_____, August 31, 2006

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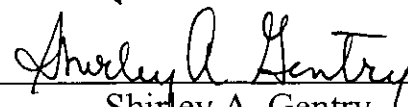
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

14.58 Acres

EXHIBIT A

C14-06-0104

TRACT 1

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS, BEING A PART OF TRACT No. 2, JACOB BAUERLE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 74, PAGE 77 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at an iron pipe found at the Southeast Corner of Lot 35, Block K, Southland Oaks Section 5, according to the plat thereof recorded in Volume 101, Pages 285, 286 and 287 of the Plat Records of Travis County, Texas, in the West Line of that 33.744 Acre Tract of Land conveyed to Continental Homes of Texas, L.P. by deed recorded in Document No. 2000124161 of the Official Public Records of Travis County, Texas, the same being the Northeast Corner of said Tract No. 2;

THENCE along the East Line of said Tract No. 2, the same being the West Line of the said 33.744 Acre Tract the following three courses:

1. S.02°48'47"E. a distance of 63.49 feet to a ½" iron rod found;
2. S.02°48'47"E. a distance of 159.41 feet to a ½" iron rod found;
3. S.02°41'23"E. a distance of 141.90 feet;

THENCE crossing said Tract 2 the following 15 courses:

1. S.55°09'04"W. a distance of 115.56 feet;
2. S.86°33'01"W. a distance of 85.36 feet;
3. N.62°03'02"W. a distance of 82.56 feet;
4. S.87°17'37"W. a distance of 45.91 feet;
5. S.02°42'23"E. a distance of 5.08 feet;
6. S.87°17'37"W. a distance of 110.00 feet;
7. N.02°42'23"W. a distance of 76.64 feet;
8. S.87°17'37"W. a distance of 50.04 feet;
9. S.87°46'51"W. a distance of 259.89 feet;
10. S.01°52'25"E. a distance of 85.02 feet;
11. S.14°31'29"W. a distance of 95.04 feet;
12. S.02°13'09"E. a distance of 108.95 feet;
13. S.01°59'32"E. a distance of 477.91 feet;
14. N.88°00'28"E. a distance of 456.23 feet;
15. N.87°19'51"E. a distance of 299.83 feet to the East Line of Tract 2 and the West Line of the plat of Olympic Heights Section 2, according to the plat thereof recorded in Document No. 200200216 of the Official Public Records of Travis County, Texas;

THENCE S.02°39'07"E., along the East Line of Tract 2 and the West Line of Olympic Heights Section 2, at a distance of 44.76 feet pass a 1/2" iron rod found at the Northwest Corner of Lot 1, Block S, Olympic Heights Section 2, in all a total distance of 171.77 feet;

14.58 Acres

THENCE crossing said Tract No. 2 the following three courses:

1. S.87°40'39"W. a distance of 366.15 feet to a ½" iron rod with RJ Surveying cap set;
2. N.51°43'07"W. a distance of 153.95 feet to a ½" iron rod with RJ Surveying cap set;
3. N.87°53'49"W. a distance of 511.86 feet to a ½" iron rod with RJ Surveying cap set in the West Line of said Tract No. 2 and in the East Line of Lot 75, Block H, Southland Oaks Section 4, Phase B, according to the plat thereof recorded in Volume 97, Pages 99, 100, 101 and 102 of the Plat Records of Travis County, Texas;

THENCE N.02°13'09"W., along the West Line of said Tract No. 2, at a distance of 388.03 feet pass the Northeast Corner of Lot 70, Block H, Southland Oaks Section 4, Phase B, and at a distance of 565.13 feet pass the Southeast Corner of Lot 28, Block H, Southland Oaks Section 4, Phase G, according to the plat thereof recorded in Volume 101, Pages 282, 283 and 284 of the Plat Records of Travis County, Texas, in all a total distance of 1112.06 feet to an iron pipe found at the Northwest Corner of said Tract No.2, the same being the Northeast Corner of Lot 57, Block K of the said plat of Southland Oaks Section 4, Phase G ;

THENCE N.87°40'39"E., along the North Line of said Tract No. 2, the same being the South Line of Lot 50 and Lot 49, Block K of the said Plat of Southland Oaks Section 4, Phase G, at a distance of 92.54 feet pass the Southeast Corner of said Lot 49 and continue along the South Line of the said plat of Southland Oaks Section 5, in all a total distance of 983.07 feet to the said Point of Beginning.

Containing 14.58 acres, more or less.

John K. Weigand Aug. 3, 2006
J. Kenneth Weigand
Registered Professional Land Surveyor No. 4391
State of Texas

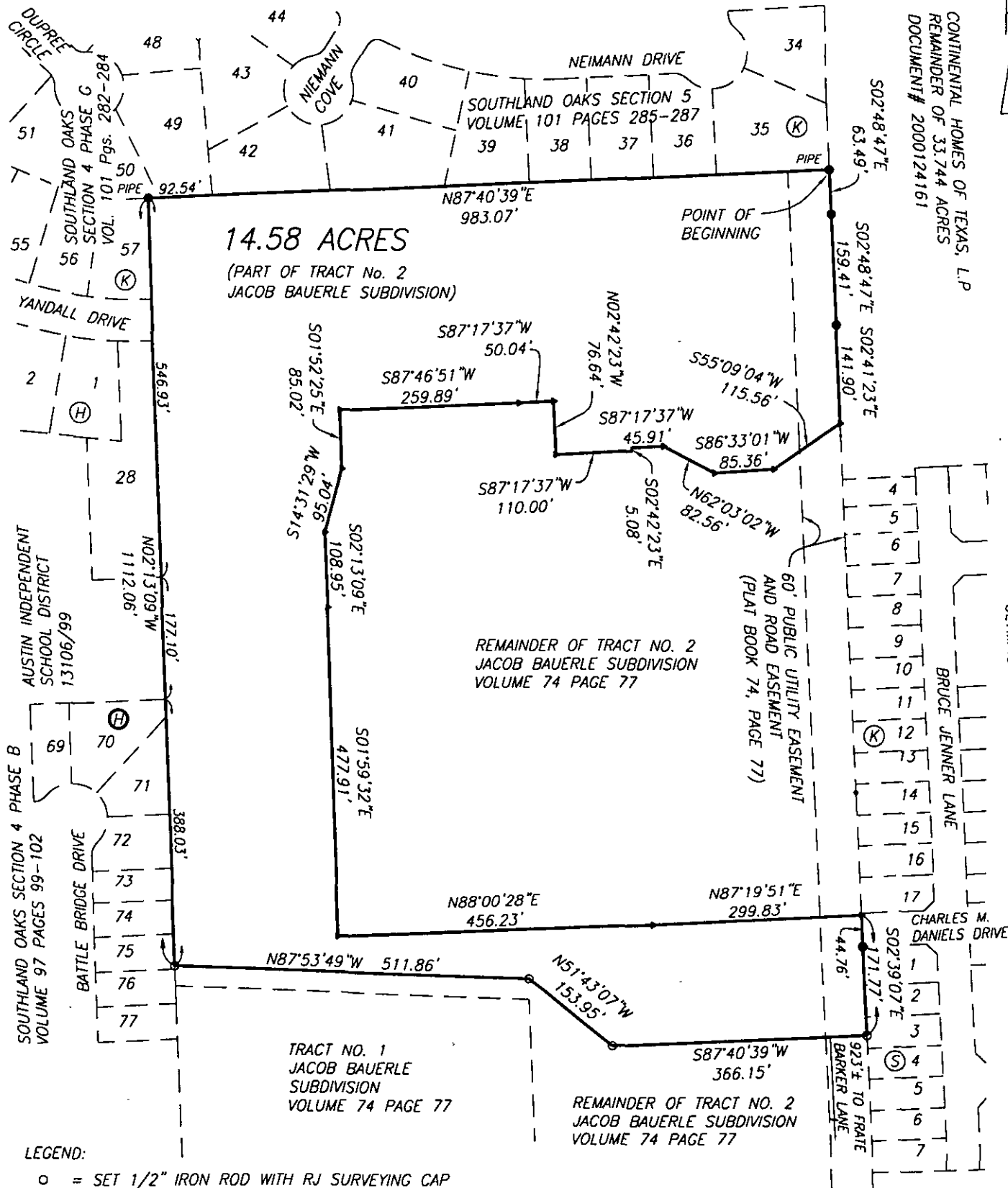
RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

CONTINENTAL HOMES OF TEXAS, L.P.
REMAINDER OF 33.744 ACRES
DOCUMENT# 2000124161

OLYMPIC HEIGHTS SECTION 2 - DOC# 200200216



SKETCH TO ACCOMPANY DESCRIPTION
(SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

DATE: JULY 27, 2006

SCALE: 1" = 200'

RJ SURVEYING, INC.

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793

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12.29 Acres

EXHIBIT B

C14-06-0104
TRACT 2

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS, BEING A PART OF TRACT No. 2, JACOB BAUERLE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 74, PAGE 77 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at an iron pipe found at the Southeast Corner of Lot 35, Block K, Southland Oaks Section 5, according to the plat thereof recorded in Volume 101, Pages 285, 286 and 287 of the Plat Records of Travis County, Texas, in the West Line of that 33.744 Acre Tract of Land conveyed to Continental Homes of Texas, L.P. by deed recorded in Document No. 2000124161 of the Official Public Records of Travis County, Texas, the same being the Northeast Corner of said Tract No. 2;

THENCE along the East Line of said Tract No. 2, the same being the West Line of the said 33.744 Acre Tract the following three courses:

1. S.02°48'47"E. a distance of 63.49 feet to a ½" iron rod found;
2. S.02°48'47"E. a distance of 159.41 feet to a ½" iron rod found;
3. S.02°41'23"E. a distance of 141.90 feet to the Point of Beginning;

THENCE continue along the East Line of Tract 2 and the West Line of the 33.744 Acre Tract the following two courses:

1. S.02°41'23"E. a distance of 18.16 feet;
2. S.02°39'43"E., at a distance of 62.81 feet pass a ½" iron rod found at the Northwest Corner of Lot 4, Block K, Olympic Heights Section 2, according to the plat thereof recorded in Document No. 200200216 of the Official Public Records of Travis County, Texas, in all a total distance of 162.52 feet to a pipe found;

THENCE continue along the East Line of said Tract No. 2 and the West Line of the said plat of Olympic Heights the following two courses:

1. S.02°42'23"E. a distance of 352.31 feet to a ½" iron rod found;
2. S.02°39'07"E. a distance of 182.22 feet;

THENCE crossing said Tract 2 the following 15 courses:

1. S.87°19'51"W. a distance of 299.83 feet;
2. S.88°00'28"W. a distance of 456.23 feet;
3. N.01°59'32"W. a distance of 477.91 feet;
4. N.02°13'09"W. a distance of 108.95 feet;
5. N.14°31'29"E. a distance of 95.04 feet;
6. N.01°52'25"W. a distance of 85.02 feet;

12.29 Acres

7. N.87°46'51"E. a distance of 259.89 feet;
8. N.87°17'37"E. a distance of 50.04 feet;
9. S.02°42'23"E. a distance of 76.64 feet;
10. N.87°17'37"E. a distance of 110.00 feet;
11. N.02°42'23"W. a distance of 5.08 feet;
12. N.87°17'37"E. a distance of 45.91 feet;
13. S.62°03'02"E. a distance of 82.56 feet;
14. N.86°33'01"E. a distance of 85.36 feet;
15. N.55°09'04"E. a distance of 115.56 feet to the said Point of Beginning.

Containing 12.29 acres, more or less.

John K. Weigand Aug. 3, 2006

John Kenneth Weigand
Registered Professional Land Surveyor No. 4391
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753

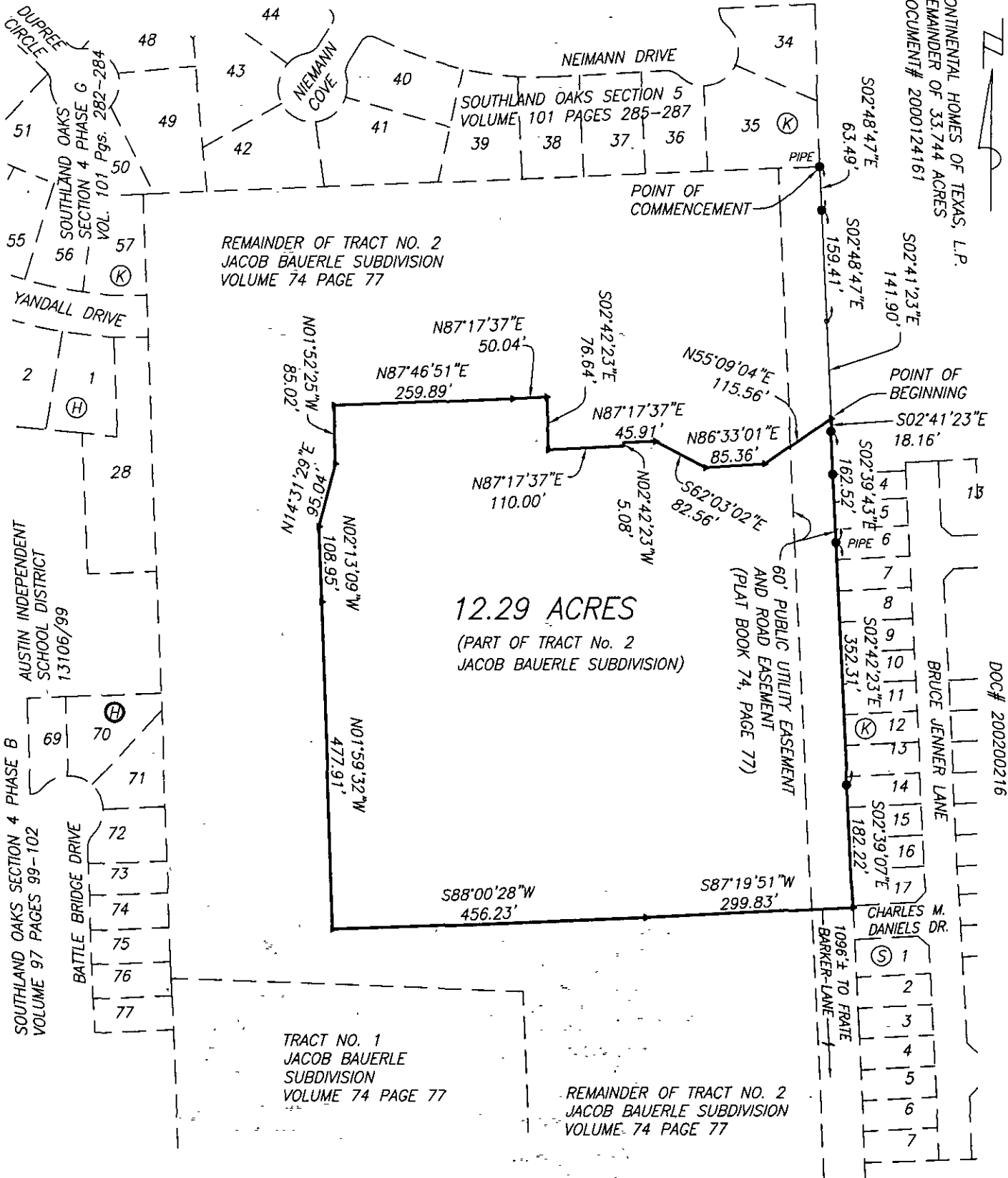


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CONTINENTAL HOMES OF TEXAS, L.P.
REMAINDER OF 33.744 ACRES
DOCUMENT# 2000124161

OLYMPIC HEIGHTS SECTION 2
DOC# 200200216

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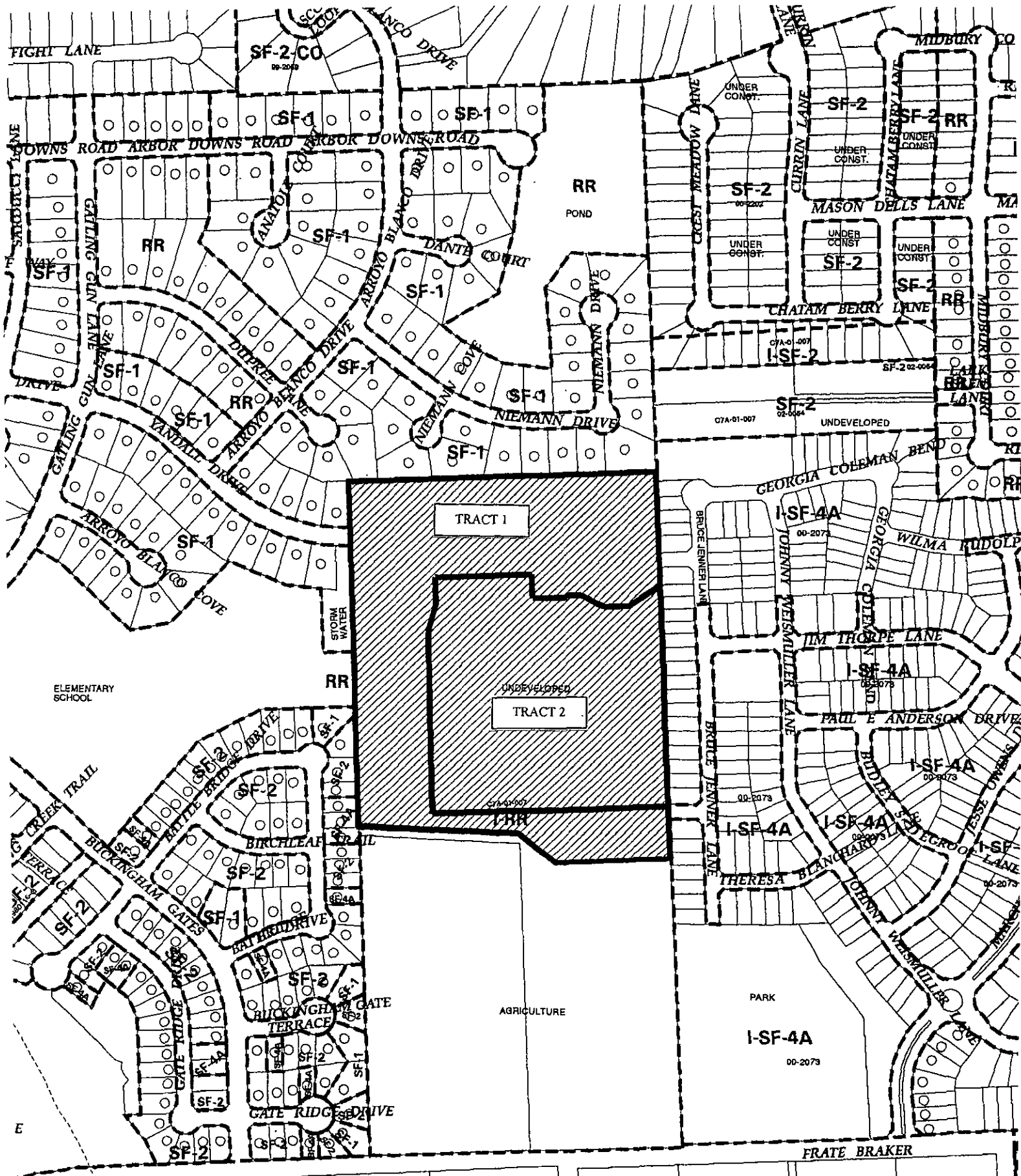
SKETCH TO ACCOMPANY DESCRIPTION
(SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

DATE: JULY 27, 2006

SCALE: 1" = 200'

RJ SURVEYING, INC.

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: W.WALSH

CASE #: C14-06-0104

ADDRESS: 2400 BLOCK OF FRATE

BARKER RD

SUBJECT AREA (acres): 26.870

DATE: 08-08

INTLS: SM

CITY GRID REFERENCE NUMBER

D12